

EXHIBIT 12

7/18

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COUNSEL FOR SAAD ANTOUN, M.D.

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**INTERNATIONAL UNION OF OPERATING ENGINEERS,
LOCAL NO. 68 WELFARE FUND,**

Plaintiff,

v.

**CIVIL ACTION NO. 03-3230
(SRC)**

AstraZeneca PLC; AstraZeneca Pharmaceuticals LP;
AstraZeneca LP; Zeneca, Inc.; TAP Pharmaceutical
Products, Inc.; Abbott Laboratories; Takeda Chemical
Industries, Ltd.; Bayer AG; Bayer Corporation; Miles
Laboratories, Inc.; Cutter Laboratories, Inc.;
GlaxoSmithKline, P.L.C.; SmithKline Beecham Corporation;
Glaxo Wellcome, Inc.; Pharmacia Corporation; Pharmacia &
Upjohn, Inc.; Monsanto Company; G.D. Searle Company;
Sanofi-Synthelabo Inc.; Johnson & Johnson; Alza
Corporation; Centocor, Inc.; Ortho Biotech, Inc.; Alpha
Therapeutic Corporation; Hoffmann-La-Roche Inc.; Amgen,
Inc.; Immunex Corporation; Aventis Pharmaceuticals, Inc.;
Aventis Behring L.L.C.; Hoechst Marion Roussel, Inc.;
Centeon, L.L.C.; Armour Pharmaceuticals; Baxter
International Inc.; Baxter Healthcare Corporation; Immuno-
U.S., Inc.; Boehringer Ingelheim Corporation; Ben Venue
Laboratories, Inc.; Bedford Laboratories; Roxane
Laboratories, Inc.; Bristol-Myers Squibb Company;
Oncology Therapeutics Network Corporation; Apothecon,
Inc.; Dey, Inc.; Fujisawa Pharmaceutical Co., Ltd.; Fujisawa
Healthcare, Inc.; Fujisawa USA, Inc.; Novartis International
AG; Novartis Pharmaceutical Corporation; Sandoz
Pharmaceutical Corporation; Schering-Plough Corporation;
Warrick Pharmaceuticals Corporation; Sicor, Inc.; Gensia
Sicor Pharmaceuticals, Inc.; Wyeth; Wyeth Pharmaceuticals;
Saad Antoun, M.D.; Stanley C. Hopkins, M.D.; Robert A.
Berkman, M.D.; Does 1-50; ABC Corporations 1-50; and
XYZ Partnerships; and Associations 1-50,
Defendants.

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JUL 18 2003

**WILLIAM T. WALSH
CLERK**

**JOINDER OF DEFENDANT,
SAAD ANTOUN, M.D. IN
PLAINTIFF'S MOTION FOR
REMAND, OR, IN THE
ALTERNATIVE, MOTION
TO REMAND PURSUANT
TO 28 U.S.C. § 1448**

Defendant, Saad Antoun, M.D., by his undersigned counsel, hereby joins in the Plaintiff's Motion for Remand or, in the alternative, seeks to have this case remanded back to state court pursuant to 28 U.S.C. §1448, and in support thereof avers as follows:

1. The Class Action Complaint in the instant case was filed on June 30, 2003 in the Superior Court of New Jersey, Monmouth County.
2. The undersigned accepted service of the Class Action Complaint on behalf of his client, defendant, Saad Antoun, M.D., via Federal Express overnight delivery, on July 1, 2003.
3. Co-defendant, AstraZeneca Pharmaceuticals, L.P. ("AstraZeneca"), removed this action to this Court by filing a Notice of Removal on July 3, 2003.
4. On July 9, 2003, plaintiff filed a Motion for Remand, which was based, in part, upon the lack of consent by Dr. Antoun.
5. Dr. Antoun has not provided his consent to removal, although his consent was sought by counsel for AstraZeneca.
6. The undersigned clearly communicated Dr. Antoun's denial of consent to federal court jurisdiction verbally to John C. Dodds, counsel for AstraZeneca, and to counsel for plaintiff.
7. In view of Dr. Antoun's lack of consent to federal court jurisdiction over this matter, the plaintiff's Motion for Remand should be granted.
8. In the alternative, should this Court deny the plaintiff's Motion for Remand, despite the lack of consent of Dr. Antoun to federal court jurisdiction, Dr. Antoun hereby seeks to have this case remanded pursuant to 28 U.S.C. § 1448 for the same reason.

WHEREFORE, defendant, Saad Antoun, M.D., hereby joins in the plaintiff's Motion for Remand and respectfully requests that this Honorable Court remand the case to the Superior Court of New Jersey, Monmouth County, either on the basis of plaintiff's Motion for Remand or upon his own motion.

Respectfully submitted,

Dated: 7-18-03, 2003



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